

**STATE OF WASHINGTON**



**OFFICE OF  
INSURANCE COMMISSIONER**

**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF WASHINGTON**

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In the Matter of	)	No. D 00 - 65
Permanent General Assurance Corporation,	)	Consent Order Imposing a Fine
An Authorized Insurer	)	

**FINDINGS OF FACT:**

1. Permanent General Assurance Corporation ( "Permanent General") is authorized to transact property and casualty insurance in Washington state.
2. Permanent General is subject to Washington Administrative Code (WAC) 284-07-010(1), which requires each such authorized insurer to complete a special liability report and file it with the Insurance Commissioner by May 1 of the year after the calendar year which is the subject of the report.
3. In December of 1999, the Office of the Insurance Commissioner (OIC) sent forms for this, together with filing instructions, to those authorized insurers which were required to file this report, including Permanent General.
4. Permanent General failed to file its 1999 Special Liability Report by May 1, 2000. On May 10, 2000, the OIC sent a letter to Permanent General. This letter warned that if the Commissioner had not received the 1999 Special Liability Report by June 1, 2000, the insurer would be liable to a fine of at least \$2500. However, the insurer's 1999 Special Liability Report did not arrive until June 2, 2000.

CONCLUSIONS OF LAW:

1. The failure of Permanent General to file its 1999 Special Liability Report with the Insurance Commissioner by May 1, 2000, and then by June 1, 2000, was a violation of WAC 284-07-010. It was also a violation of RCW 48.05.380, "Reports by property and casualty insurers- Rates" and of RCW 48.05.390, "Reports by various insurers- Contents."

2. RCW 48.05.140, "Certificate of authority- Discretionary refusal, revocation, suspension" provides in subsection (1) that the Insurance Commissioner is authorized to refuse, suspend or revoke an insurer's certificate of authority if the insurer "...Fails to comply with any provision of this code other than those for violation of which refusal, suspension or revocation is mandatory."

3. RCW 48.05.185, "Fine in addition to or in lieu of suspension, revocation, or refusal" provides that "After hearing or with the consent of the insurer and in addition to or in lieu of the suspension, revocation or refusal to renew any certificate of authority, the Commissioner may levy a fine upon the insurer in any amount not less than two hundred fifty dollars and not more than ten thousand dollars."

CONSENT TO ORDER;

Permanent General Assurance Corporation hereby stipulates to the foregoing Findings of Fact and Conclusions of Law and consents to this order, which imposes a fine of \$2500 (two thousand five hundred dollars and no/100) upon Permanent General for the violations described above, in lieu of further proceedings against the certificate of authority held by the insurer in Washington state. This fine will be paid in full within the period of thirty days after this order is entered in Lacey, Washington. Failure to pay the fine timely and in full will constitute grounds for revocation of the certificate of authority held by the insurer in Washington state. It will also result in a civil action to recover the amount of the fine, brought on behalf of the Insurance Commissioner by the Attorney General of Washington state.

Permanent General Assurance Corporation expressly stipulates that it is required to comply with all insurance laws and regulations of Washington state, including but not limited to all filing requirements of all such laws and regulations.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_

Typed Name \_\_\_\_\_

Typed Corporate Title \_\_\_\_\_

Permanent General Assurance Corporation

ORDER:

Pursuant to RCW 48.05.185, the Insurance Commissioner imposes a fine of \$2500 (two thousand five hundred dollars and no/100) upon Permanent General Assurance Corporation, expressly in lieu of proceedings against the certificate of authority held by the insurer in Washington state. This fine is to be paid in full within thirty days after this order is entered in Lacey, Washington. Failure to pay the fine timely and in full will constitute grounds for the suspension or revocation of the certificate of authority held by the insurer in Washington state. It will also result in a civil action brought on behalf of the Insurance Commissioner by the Attorney General of Washington state, to recover the amount of the fine.

ENTERED AT LACEY, WASHINGTON on this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

DEBORAH SENN

Insurance Commissioner

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William Kay Kirby

Assistant Deputy

Insurance Commissioner

Legal Affairs Division

